

***This listing of claims will replace all prior versions and listings of claims in the application:***

**Listing of Claims:**

**Claims 1 through 21 (cancelled)**

Claim 22 (new): A process for the preparation of microparticles comprising the steps

- a) preparing an aqueous solution of at least one pharmacologically active ingredient;
- b) preparing a solution of a biodegradable polymer, a water soluble polymer, and a surface active substance in an organic solvent which is insoluble in water;
- c) preparing an aqueous solution of a surfactant;
- d) mixing solutions of a) and b) using a gear pump to form an emulsion;
- e) pumping emulsion d) and the aqueous solution c) with a gear pump to a static mixer and mixing them in the static mixer to form a water in oil in water emulsion;
- f) removing the organic solvent from emulsion e); and
- g) separating the microparticles.

Claim 23 (new): The process of claim 22, wherein the surface active substance of step b) is a phospholipid or lecithin.

Claim 24 (new): The process of claim 22, wherein a phosphate buffer is used for the preparation of the aqueous solutions of step a) and c).

Claim 25 (new): The process of claim 22, wherein the organic solvent of step c) is methylene chloride.

Claim 26 (new): The process of claim 22, wherein the surfactant of step c) is polyvinyl alcohol.

Claim 27 (new): The process of claim 22, wherein the organic solvent in step f) is removed by evaporation.

Claim 28 (new): The process of claim 22, wherein the microparticles of step g) are separated by sedimentation or filtration.

Claim 29 (new): The process of claim 22, wherein the obtained microparticles are freeze-dried.

Claim 30 (new): The process of claim 23, wherein the amount of phospholipid or lecithin is from about 0.01 to about 90% w/w of the final microparticle weight.

Claim 31 (new): The process of claim 22, wherein the biodegradable polymer is chosen from at least one of homo- or copolyester of dicarboxylic acid, alkylene diol, polyalkylene glycol and/or aliphatic hydroxycarboxylic acid; homo- or copolyamide of dicarboxylic acids, alkylene diamine and/or aliphatic aminocarboxylic acid; corresponding polyester-polyamide copolymer; polyanhydride; polyorthoester; polyphosphazene; and polycarbonates.

Claim 32 (new): The process of claim 31, wherein the biodegradable polymer is poly-L- or poly-D,L-lactic acid or poly-D,L-lactide/glycolide with a monomer ratio of ca. 1:1 and a molecular weight of 5000 to 100,000 daltons.

Claim 33 (new): The process of claim 22, wherein the water soluble polymer is polyvinyl pyrrolidone.

Claim 34 (new): The process of claim 23, wherein the phospholipid is phosphatidyl choline.

Claim 35 (new): The process of claim 22, wherein the active ingredient is a peptide, a polypeptide or a protein.

Claim 36 (new): The process of claim 35, wherein the active ingredient is selected from at least one of antibodies, growth hormones, insulin, interferons, erythropoietin, calcitonin, heparin, somatostatins, cell-stimulating factors and parathyroid hormones.

Claim 37 (new): The process of claim 36, wherein the interferon is interferon alpha 2b.

Claim 38 (new): The process of claim 22, wherein the organic solvent is removed from the microparticles using cross-filtration technology by circulating emulsion e) tangentially to a membrane at a constant flow wherein the organic solvent, salts and excipients are removed through the membrane, replacing water removed through the membrane by fresh water.

Claim 39 (new): Microparticles comprising  
a pharmaceutically active ingredient;  
at biodegradable polymer;  
a water soluble polymer;  
a phospholipid or lecithin;  
wherein the microparticles are obtained by the process of claim 22.

Claim 40 (new): The microparticles of claim 39 having a diameter of 0.1 to 200  $\mu\text{m}$ .

Claim 41 (new): The microparticles of claim 39 comprising 1 to 20% by weight active agent, based on the weight of the microparticles.